

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 24, 1969 AT 8:30 A.M.

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The meeting was called to order by the presiding officer, Mayor W. W. McAllister, with the following members present: McALLISTER, CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, HILL, TORRES; Absent: NONE.

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69-20 The invocation was given by the Reverend Wilson Hill, Beitel Memorial Lutheran Church.

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The minutes of Special Meeting of April 2, Reconvened Meeting of April 7, Regular Meeting of April 3, and Special Meeting of April 16, 1969 were all approved.

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69-20 Mayor McAllister welcomed Colonel and Mrs. David R. Scott, Astronaut on the Appollo IX Space Flight and presented Colonel Scott with a proclamation making him an Alcalde of LaVillita and a commorative plate of LaVillita to Mrs. Scott.

Mrs. William Ochsę, on behalf of the Battle of Flowers Association, presented Colonel Scott a medal designating him honorary parade marshall of Friday's Battle of Flowers Parade.

Colonel Scott expressed appreciation in being able to visit the City in which he was born and as a momento of his visit presented a picture of the San Antonio area taken from a distance of 150 miles aboard Appollo IX at 10:30 A.M. on the 6th day of March 1969. The picture was autographed by Colonel Scott and the inscription reads: "Presented to the City of San Antonio by the crew of Appollo IX."

Colonel Scott then presented Mayor McAllister a framed minature flag of Texas and the Appollo IX Insigna which he carried with him in space during the flight from March 3-13, 1969.

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69-20 Mrs. Philip R. Pattison, President of the Little Theatre Producing Group of San Antonio, spoke to the City Council concerning their request that the City pay for the fire and extended coverage insurance as well as boiler and machinery insurance on the San Antonio Little Theatre, and to also pay insurance premiums currently owed by them.

274 It was brought out that the capital improvements to the Little Theatre building cost three times what was anticipated and Mrs. Pattison felt it was the fair and equitable thing for the City to do.

Mr. Torres stated he was not in favor of such an amendment to the contract because of the memo from the City Attorney dated October 29, 1966, in which it was stated that this could be construed as a gift to a private organization and unconstitutional.

City Attorney Walker advised the Council that this is correct from a strictly legal standpoint, however, there is a great deal of equity in favor of the Little Theatre Group and perhaps one should be balanced against the other.

On motion of Mr. Gatti, seconded by Mrs. Cockrell, the ordinance was passed and approved by the following vote: AYES: McAllister, Jones, James, Cockrell, Gatti, Hill; NAYS: Calderon, Trevino, Torres; ABSENT: None.

AN ORDINANCE 37,431

MAKING AND MANIFESTING AN AMENDMENT TO THE CONTRACT WITH LITTLE THEATRE PRODUCING GROUP BY PROVIDING THAT THE CITY WILL BEAR THE EXPENSE OF CERTAIN INSURANCE COVERAGE.

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Dr. Calderon explained his vote by stating if the amendment concerning the insurance was effective from this day on, he would be in favor, but not if it is retroactive to 1967.

Mr. Torres stated he voted 'no' because the original contract was a very generous one and secondly that it is contrary to the City Attorney's opinion which states that the amendment is in conflict with the State constitution.

69-20 The following ordinance was explained by Mr. John Brooks, Purchasing Agent, and on motion of Dr. Calderon, seconded by Mr. Hill, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Hill; NAYS: None; ABSENT: Torres.

AN ORDINANCE 37,432

AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO HONEYWELL, INC. FOR THE ANNUAL MAINTENANCE SERVICE FOR CONTROL SERVICES ON ALL HEATING AND AIR CONDITIONING AT THE TOWER OF THE AMERICAS FOR A TOTAL OF \$1,556.00.

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69-20 The following ordinances were explained by Mr. John Brooks, Purchasing Agent, and on motion made and duly seconded were each passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Hill; NAYS: None; ABSENT: Gatti, Torres.

AN ORDINANCE 37,433

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF DON WITTIG OFFICE FURNITURE TO FURNISH THE CITY OF SAN ANTONIO VARIOUS DEPARTMENTS WITH CERTAIN METAL FOLDING CHAIRS FOR A TOTAL OF \$2,925.00.

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AN ORDINANCE 37,434

ACCEPTING THE ATTACHED LOW QUALIFIED BID OF WEST CHEMICAL PRODUCTS, INC. TO FURNISH THE CITY OF SAN ANTONIO INTERNATIONAL AIRPORT WITH CERTAIN SOIL STERILANT FOR A TOTAL OF \$2,088.00.

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69-20 The following ordinance was explained by Mr. Thomas Raffety, Director of Aviation, and on motion of Dr. Calderon, seconded by Mr. Hill, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, Cockrell, Trevino, Hill; NAYS: None; ABSENT: James, Gatti, Torres.

AN ORDINANCE 37,435

MANIFESTING AN AGREEMENT WITH NAYAK AVIATION CORP. TO AMEND SAN ANTONIO INTERNATIONAL AIRPORT LEASE NO. 3-1 BY ADDING MORE HANGAR SPACE.

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69-20 The following ordinances were explained by Members of the Administrative Staff and on motion made and duly seconded were each passed and approved by the following vote: AYES: McAllister, Calderon, Jones, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: James.

AN ORDINANCE 37,436

AUTHORIZING THE CITY MANAGER TO EXECUTE SAN ANTONIO INTERNATIONAL AIRPORT LEASE NO. 8-A WITH REUBEN E. WEISS, LESSEE.

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AN ORDINANCE 37,437

AUTHORIZING THE CITY MANAGER TO EXECUTE
SAN ANTONIO INTERNATIONAL AIRPORT LEASE NO.
336 WITH H. B. ZACHRY CO., INC., LESSEE.

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AN ORDINANCE 37,438

ACCEPTING THE ATTACHED LOW QUALIFIED BID
OF ANN-WAY CARPET SERVICE COMPANY FOR CON-
TRACT TO SUPPLY ALL LABOR AND EQUIPMENT
FOR INSTALLATION OF ASTROTURF AT HEMISFAIR
PLAZA FOR A TOTAL OF \$2,289.00.

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69-20 The following ordinance was explained by Mr. Robert Frazer, Director of Parks and Recreation, and on motion of Mr. Hill, seconded by Mrs. Cockrell, was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: None; ABSTAINING: Jones.

AN ORDINANCE 37,439

ESTABLISHING A MOBILE PLAYGROUND PROGRAM
EFFECTIVE JUNE 1, 1969, AMENDING THE
CURRENT BUDGET BY AUTHORIZING SIX (6)
ADDITIONAL POSITIONS IN THE PARKS AND
RECREATION DEPARTMENT TO OPERATE SAID
PROGRAM AND AUTHORIZING A TRANSFER OF FUNDS.

* * * *

Councilman Trevino discussed a report on the proposed summer recreation program in which public schools are utilized. He felt there is no coordination between the Mayor's Youth Coordinator, Mr. Ed Copeland, who actually works for the Office of Economic Opportunity and the Parks and Recreation Department and the School Districts. He also felt there are not enough schools being utilized on the Westside.

Councilman James also stated that there is need for additional summer recreation programs on the Eastside especially in the "J" and "I" Streets area. There is a new school there but no recreation program has been provided.

Mrs. Cockrell advised that the Mayor's Committee on Youth Opportunity will meet Monday, April 28, 1969 at 2 P.M. at the Chamber of Commerce Building Auditorium at which the summer recreation program will be discussed and invited Council members to attend.

It was agreed that the ordinance as passed did not provide that the mobil playground program be at any particular locations.

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69-20 Mr. Kurt Monier, Chairman of the Good Government League, thanked Mayor Pro-Tem John Gatti and Councilman Robert C. Jones for their service and contributions to the progress and welfare of the City of San Antonio. He then presented Mr. Gatti and Mr. Jones with plaques which read as follows:

ROBERT C. JONES
IN APPRECIATION OF HIS VALUABLE SERVICE
TO THE
CITY OF SAN ANTONIO
AS A MEMBER OF THE CITY COUNCIL PLACE NO. 3
SEPTEMBER 12, 1963-----APRIL 30, 1969
THIS PLAQUE GIVEN BY HIS FELLOW COUNCILMEN

JOHN GATTI
MAYOR PRO-TEM
IN APPRECIATION OF HIS VALUABLE SERVICE
TO THE
CITY OF SAN ANTONIO
AS A MEMBER OF THE CITY COUNCIL PLACE NO. 6
AND AS
MAYOR PRO-TEM
MAY 1, 1961-----APRIL 30, 1969
THIS PLAQUE GIVEN BY HIS FELLOW COUNCILMEN

69-20 CITIZENS TO BE HEARD:

Mr. H. T. Gipson spoke to the Council concerning the proposed multi-service center adjacent to the West End Park in the vicinity of Lombrano, 18th, Menchaca, and Hamilton Streets in the Model Cities Area. He stated he was in favor of the gym and recreation buildings proposed, but would prefer that they be in the park rather than across the street.

69-20 The Clerk read the following ordinance.

AN ORDINANCE 37,440

AMENDING THE CURRENT BUDGET BY AUTHORIZING SEVEN (7) ADDITIONAL EMPLOYEE POSITIONS IN THE TRAFFIC AND TRANSPORTATION DEPARTMENT AND AUTHORIZING A TRANSFER OF FUNDS.

* * * *

Mr. Stewart Fischer, Director of Traffic and Transportation, explained the positions become effective May 1, 1969 in order to allow the Traffic Department to recruit and train these employees prior to the City's assuming the maintenance of the downtown traffic signal system which has been done in the past by the City Public Service Board.

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After consideration, on motion of Mr. Torres, seconded by Mr. Hill, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

Mayor McAllister was obliged to leave the meeting and Mayor Pro-Tem John Gatti presided.

69-20 The following ordinances were explained by Members of the Administrative Staff and on motion made and duly seconded, were each passed and approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 37,441

AMENDING THE CURRENT BUDGET BY AUTHORIZING TWENTY-EIGHT (28) ADDITIONAL SEASONAL POSITIONS IN THE PARKS AND RECREATION DEPARTMENT SWIMMING POOL ACTIVITY, AND PROVIDING FUNDS TO COVER ADDITIONAL COST INVOLVED FOR THE BALANCE OF THE FISCAL YEAR.

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AN ORDINANCE 37,442

AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE VARIOUS MEMBER LIBRARIES OF THE COUNCIL OF RESEARCH AND ACADEMIC LIBRARIES ORGANIZATION, PROVIDING FOR THE USE OF APPROXIMATELY 4,000 SQUARE FEET OF FLOOR SPACE IN THE MAIN LIBRARY ANNEX FOR USE AS A CENTRAL STORAGE FACILITY FOR EXPENSIVE, LITTLE-USED VOLUMES IN HIGHLY SPECIALIZED SUBJECT AREAS, TO BE AVAILABLE FOR LOAN TO ANY MEMBER LIBRARY.

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AN ORDINANCE 37,443

ACCEPTING THE LOW BID OF S.A.C.C., INC. FOR THE CONSTRUCTION OF SANITARY SEWER MAIN EXTENSION, UNSEWERED AREA #51; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SAID WORK; APPROPRIATING THE SUM OF \$61,424.63 OUT OF SEWER REVENUE FUND NO. 204 PAYABLE TO S.A.C.C., INC.; APPROPRIATING THE SUM OF \$2,500.00 OUT OF THE SAME FUND TO BE USED AS A CONSTRUCTION CONTINGENCY ACCOUNT AND \$500.00 AS A MISCELLANEOUS EXPENSES CONTINGENCY ACCOUNT.

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AN ORDINANCE 37,444

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BUDDIES SUPERMARKETS, INC., PERMITTING CONSTRUCTION OF A BUILDING OR BUILDINGS OVER A CITY-OWNED DRAINAGE EASEMENT, IN CONSIDERATION FOR THE AGREEMENT BY SAID CORPORATION TO CONSTRUCT A CONCRETE BOX DRAINAGE STRUCTURE APPROVED BY CITY TO FACILITATE DRAINAGE UNDER THE BUILDING, BEAR ALL EXPENSE OF MAINTENANCE AND REPAIR OF THE FACILITY, AND TO INDEMNIFY CITY FROM ANY LIABILITY ARISING FROM SUCH CONSTRUCTION OR ANY DRAINAGE IMPEDIMENT CAUSED BY IMPROPER MAINTENANCE.

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AN ORDINANCE 37,445

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ED HERBSLEB D/B/A LYNWOOD BRICK AND TILE COMPANY, PERMITTING CONSTRUCTION OF A BUILDING OR BUILDINGS OVER A CITY OWNED DRAINAGE EASEMENT IN CONSIDERATION FOR THE AGREEMENT BY SAID ED HERBSLEB TO CONSTRUCT A CONCRETE LINE CHANNEL APPROVED BY CITY TO FACILITATE DRAINAGE UNDER THE BUILDING, BEAR ALL EXPENSE OF MAINTENANCE AND REPAIR OF THE FACILITY, AND TO INDEMNIFY CITY FROM ANY LIABILITY ARISING FROM SUCH CONSTRUCTION OR ANY DRAINAGE IMPEDIMENT CAUSED BY IMPROPER MAINTENANCE.

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Mayor McAllister returned to the meeting and presided.

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69-20 Members of the Administrative Staff explained the following ordinances and on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

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AN ORDINANCE 37,446

APPROPRIATING \$25.00 OUT OF SEWER REVENUE FUND NO. 404 PAYABLE TO SOUTHERN PACIFIC COMPANY FOR A LICENSE AGREEMENT IN CONNECTION WITH SALADO CREEK OUTFALL SEWER LINE ALSO ACCEPTING PIPE LINE LICENSES PERTAINING TO STONEGATE SUBDIVISION OFF-SITE MAIN, PARK NORTH OFF-SITE MAIN AND SHENANDOAH SANITARY SEWER PROJECT.

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AN ORDINANCE 37,447

APPROPRIATING FROM VARIOUS FUNDS CERTAIN SUMS IN THE TOTAL SUM OF \$3,246.05 IN PAYMENT FOR EXPENSES INCURRED IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR U.S. 281 NORTH EXPRESSWAY PROJECT; SALADO CREEK OUTFALL SEWER LINE; STEVES AVENUE PAVING PROJECT; AND MISCELLANEOUS EASEMENTS & DEDICATIONS--BELGIUM LANE WIDENING.

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AN ORDINANCE 37,448

AUTHORIZING THE CITY MANAGER TO EXECUTE A RELEASE OF A SPECIAL ASSESSMENT LIEN. (ON LOTS 13 AND 14, N.C.B. 2970)

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AN ORDINANCE 37,449

AUTHORIZING THE DIRECTOR OF FINANCE TO DISBURSE FUNDS RECEIVED BY THE CITY OF SAN ANTONIO AS THE RESULT OF LEGAL PROCEEDINGS TO THE BEXAR COUNTY TAX ASSESSOR COLLECTOR IN PAYMENT OF TAXES. (ON THE EAST 59.5 FT. OF THE NORTH 110 FEET OF LOT 6, ARB. A6, BLOCK 2,317 - MANUEL E. AGUILERA, ET AL.)

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AN ORDINANCE 37,450

MANIFESTING AN AGREEMENT WITH THE WATER WORKS BOARD OF TRUSTEES, AMENDING AN EXISTING AGREEMENT WHICH PROVIDES FOR THE TRANSFER OF SIX ACRES OUT OF THE CIVIC CENTER PROJECT AREA TO CITY WATER BOARD IN EXCHANGE FOR SIX ACRES OUT OF THE HILDEBRAND AVENUE TANK SITE, TO PROVIDE THAT THE CITY WILL TRANSFER 4.092 ACRES OUT OF THE CIVIC CENTER AREA JULY 1, 1969 AFTER ITS ACQUISITION FROM URBAN RENEWAL AGENCY FOR A CONSIDERATION OF \$425,576.16, THE REMAINING 1.908 ACRES TO BE TRANSFERRED TO CITY WATER BOARD ON JULY 1, 1970.

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AN ORDINANCE 37,451

APPOINTING MEMBERS OF THE ADVISORY COMMIT-
TEE OF TEXAS PIONEERS, OLD TRAIL DRIVERS,
AND TEXAS RANGERS. (FOR A TERM EXPIRING
APRIL 30, 1971.

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69-20 At 10:10 A.M., King Antonio the XLVII, in the person
of Ralph Lehr, accompanied by the Texas Cavaliers paid a good will
visit to the City Council.

King Antonio introduced Miss Katherine Letteer, Queen
of the Order of the Alamo's Court of Time and Space, and her
Princess, Miss Clayton Dorn.

The King then presented the Members of the Council
with gold coins of the realm of King Antonio the XLVII.

At 10:25 A.M., Mr. Reynolds Andricks, Festival San
Jacinto Association, presented Miss Gail Waneck, Miss Fiesta
Galaxie, and her alternates, Miss Cindy Baumar, Miss Julianna
Cernosek and Miss Dianne Leal, to the City Council.

Miss Fiesta Galaxie was accompanied by her court,
comprised of young ladies representing St. Mary's University, Our
Lady of the Lake College, Incarnate Word College and San Antonio
College.

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The Clerk read the following resolutions.

A RESOLUTION

AUTHORIZING THE SUBMISSION OF AN APPLI-
CATION TO THE DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT FOR A NEIGHBORHOOD
FACILITIES GRANT AS AUTHORIZED BY SEC-
TION 703, HOUSING AND URBAN DEVELOPMENT
ACT OF 1965. (HOLY CROSS MULTI-SERVICE
CENTER)

* * *

A RESOLUTION

AUTHORIZING THE SUBMISSION OF AN APPLI-
CATION TO THE DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT FOR A NEIGHBORHOOD
FACILITIES GRANT AS AUTHORIZED BY SEC-
TION 703, HOUSING AND URBAN DEVELOPMENT
ACT OF 1965. (WEST END MULTI-SERVICE
CENTER)

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Mr. Henry Cisneros, Model Cities Coordinator,
explained that the City proposes to finance the Holy Cross Multi-
Service Center as follows:

| | | |
|-------------------------------|-----|-----------|
| Neighborhood Facilities Grant | --- | \$258,820 |
| Model Cities Supplemental | --- | \$118,000 |
| City of San Antonio | --- | \$ 12,000 |
| | | ----- |
| TOTAL..... | | \$388,820 |

The West End Multi-Service Center is proposed to be
financed as follows:

| | | |
|-------------------------------|-----|-----------|
| Neighborhood Facilities Grant | --- | \$277,820 |
| Model Cities Supplemental | --- | \$101,000 |
| City of San Antonio | | \$ 39,200 |
| | | ----- |
| TOTAL..... | | \$418,020 |

He made a comprehensive presentation of the proposed centers. The site plan for the West End Park Center showed that it was planned to close Menchaca Street between 18th and Hamilton Streets as well as one block of Lincoln Street between Menchaca and Albert Streets.

The Council agreed to the closing of Lincoln Street which would be used for the Center, however it was opposed to the closing of Menchaca Street because it would deny access to private property in N.C.B. 6044 and 6045. However should the property in N.C.B. 6045 fronting on Menchaca Street be acquired through the Urban Renewal Agency participation, then the Council was agreeable to the closing of that portion of the Street. The same also applied to N.C.B. 6044.

After consideration, on motion of Dr. Calderon, seconded by Mr. Trevino, the resolutions were passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

In reference to the above vote, Mrs. Cockrell stated she was voting 'aye' but wished to protest that she had not had sufficient time to go over the papers regarding the resolutions because they were delivered to her at 8:30 p.m. last night.

A detailed copy of the proposed projects are attached to the resolutions.

69-20 The following ordinance was explained by City Manager Henckel and on motion of Dr. Calderon, seconded by Mr. Hill, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

AN ORDINANCE 37,452

AUTHORIZING THE CITY MANAGER TO ENTER INTO A TEMPORARY AGREEMENT WITH H.C.P. ENTERPRISES OF ROYERSFORD, PENNSYLVANIA FOR OPERATION OF THE MINI-MONORAIL AT HEMISFAIR PLAZA, FOR A TERM ENDING JULY 31, 1969.

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69-20

ANNEXATIONS:

The Clerk read the following ordinance for the first time.

AN ORDINANCE 37,453

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 5.552 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

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Mr. Steve Taylor, Director of Planning, explained the proposed annexation and stated this land is a portion of University Estates and owned by H. B. Zachry Properties, Inc. who requested the annexation.

No one spoke in opposition.

On motion of Dr. Calderon, seconded by Mr. Jones, the ordinance was passed and approved for publication only by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

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The Clerk read the following ordinance for the second and final time.

AN ORDINANCE 37,355

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 1.1978 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

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Mr. Steve Taylor, Director of Planning, stated this land is known as Glen Oaks Park, Unit 3-B and is owned by Callaghan Road Development Company who requested the annexation.

No one spoke in opposition.

On motion of Dr. Calderon, seconded by Mr. Hill, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: Jones.

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69-20 Mrs. Cockrell, in connection with the approval of the applications for the two multi-service centers, asked the Council to take a new look at the City Manager's list of priority projects with a view of funding the Eastside Neighborhood Health Center. This item is on the priority list and has been recommended by the Metropolitan Health District Board. She believed there would be some federal funds available for a short time, the deadline being May 30. She asked the Council to review this and come back with a definite recommendation on this item.

Councilman James stated he would like to see the Council review the whole structure of priorities and get down to specifics.

City Manager Henckel advised that as soon as the new Council takes office he would like to have an executive session to go over these matters.

69-20 The Clerk read an ordinance authorizing the purchase of a painting from Alden H. Waitt for the sum of \$600.00.

The Mayor explained that the painting in question is presently hanging in the Mayor's Office and in consideration of the \$600.00 Gen. Waitt, the painter, would make a donation to the City of another painting valued at \$1,000.

After discussion, it was the sentiment of the Council that the City should not purchase the painting and the ordinance was withdrawn from consideration.

69-20 Mr. Gatti spoke to the Council concerning a proposed constitutional amendment to be submitted to the voters of the State concerning the maximum amount which the State can appropriate for Welfare purposes and asked the Council to go on record as being in favor of this, as it will affect many citizens of our community.

He then introduced the following resolution which was read by the Clerk.

A RESOLUTION

ENDORING THE CONSTITUTIONAL AMENDMENT
TO BE SUBMITTED TO THE VOTERS OF THE
STATE OF TEXAS AT THE SPECIAL ELECTION
TO BE HELD ON AUGUST 5, 1969.

* * *

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Whereas, an amendment to the Constitution of the State of Texas, entitled S. J. 8, raising from \$60,000,000 to \$80,000,000, the maximum amount which the Legislature of the State of Texas may appropriate for welfare purposes will be submitted to the voters of the State of Texas for approval at a special election to be held on August 5, 1969.

Whereas, because of a lack of funds, the State Department of Public Welfare has reduced Aid for Dependent Children twice since September 1, 1968, to a level where recipients may receive only one half of the amount necessary for a reasonable subsistence compatible with decency and health, and

Whereas, it is in the best interest of all citizens of the City of San Antonio and the State of Texas that our needy citizens who are either elderly, blind, disabled or dependent children be afforded a reasonable subsistence compatible with decency and health, and

Whereas, unless said Constitutional Amendment is approved by the voters of the State of Texas, it may be necessary for the State Department of Public Welfare to reduce Old Age Assistance, Aid to the Blind, and Aid to the Permanent and Totally Disabled as well as further reducing Aid for Dependent Children,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

1. That the City Council does hereby endorse the Constitutional Amendment to be submitted to the voters of the State of Texas at the special election to be held on August 5, 1969.

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On motion of Dr. Calderon, seconded by Mr. James, the resolution was passed and approved by the following vote:
 AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

69-20

CITIZENS TO BE HEARD:

Reverend C. William Black commended the Police Department for their restraint in connection with the Monday night disturbance. He then asked the Council to make a policy statement that all people in the community can expect proper treatment under the law by the Police of the City. He also asked that the Council reconsider the matter of a Civilian Review Board.

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69-20 Discussion Regarding Incident on Tuesday Night,
April 23, 1969 at Langston-Hughes Theatre:

Mr. Torres: I conferred with Mr. Henckel yesterday, Mr. Mayor and Council Members, on the situation that arose Tuesday night at the Langston-Hughes Theatre. I understand there was some disturbance and some dissatisfaction on the part of a number of our eastside residents who took the liberty to contact me yesterday after which I set up--I asked Mr. Henckel for a meeting so that these fine people could air their grievances; at least let their side of the story be known. I asked Mr. Henckel to report to the Council on what his conclusions were as to what happened Tuesday night and what recommendations he could make this morning on action that could be taken by the Council to meet and confront these problems. I would like for Mr. Henckel to report about Tuesday night.

Mayor McAllister: On Tuesday night or Monday night?

Mr. Torres: Tuesday.

Mayor McAllister: Forgetting Monday night? Go ahead, Mr. Henckel.

Mr. Torres: No, I'm not forgetting Monday night, Mr. Mayor. The reason I brought this up I think the more serious crisis arose on Tuesday night. I think the situation Monday night, as you and I discussed on Tuesday morning, was handled adequately. I do think that in the case of disorders there are measures that have to be taken. I didn't agree with your threat to the people of San Antonio and I will continue to disagree with you. I think that before a crisis arises that you can take measures to avert that crisis. You're not going to avert any crisis by threatening people that you are going to enforce the law. I don't think that this is the way to do it.

Mayor McAllister: Of course you are inviting people to just disrespect the law.

Mr. Torres: I am not inviting people to disrespect the law. You can interpret it the way you want to. I disagree with you.

Mr. Henckel: I am giving a summary from the police reports submitted to me in reference to the action taken Tuesday evening at the corner of Iowa and Pine. The investigation and action taken resulted in the patrolman in that district driving by the area we are talking about, the corner of Iowa and Pine Streets, and noticing a person with a shotgun in front of one of the establishments. He went by and contacted by radio another officer in the area. The two officers then went by and noticed two guns, a rifle and a shotgun, and about twenty-five people in the area. The people noticed the officers, and according to their reports, shouted names at them and told them that they were going to kill them and to get out of the area.

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The officers left, contacted headquarters, and asked for additional officers and a superior officer. Detective Talbert, the duty officer in charge, with fourteen other officers went to the location. There were numerous people in front of the location. There were not any guns present at that time and they asked them if there were any guns present. According to the reports, numerous names were shouted at the officers, threatening the officers. The officers made five arrests of persons who were cursing and threatening the officers. This is the extent of the report. I have the report from the officers. I have not had the opportunity to talk with any of them personally because I just received these reports yesterday evening. At the meeting I attended yesterday with Mr. Torres, members of various groups who were there, made statements alleging police brutality in regard to the arrests that were made. I assured them that I would make a full investigation and that the police department would, and that we would give the Council this interim report this morning.

If there are any questions, I would certainly attempt to answer them. Chief Bichsel is here and he will also attempt to answer any questions.

Mr. Torres: Of course, I presume that your investigation would go into the fact that this fellow named Whittier was beaten pretty badly. I might tell the Council that pictures were presented to the group that met yesterday and to Mr. Henckel. The allegation was made that the beating was not justified. This is the thing that primarily concerns me. Of course a number of allegations were made yesterday of some police officers going to the eastside and treating many, many of our eastside citizens with less than proper respect. Of course I'm not going to sit here and condone violence and lawlessness on the part of any one individual. Neither do I think, as a public official, that I can sit back and ignore bullying, if it does exist, and harrassment on the part of the police, if it does exist.

When Chief Bichsel gave us his report on the activities, or better yet, when he gave his report of a week ago, or two weeks, I inquired or I directed some remarks to the fact that there had been, for example, 2200 arrests in 1967. The latest statistics we have on police activity. Twenty-two hundred arrests on charges of vagrancy. In something like twelve to thirteen hundred of these cases they were dismissed which would indicate to me a high frequency of dismissal; much vice squad activity. Yet many dismissals which would indicate apparently that there is something wrong when you have a large number of arrests and by the same token, when you have a large number of dismissals. This, coupled with the fact that we repeatedly receive complaints from these eastside people. These people are our citizens too. They are first-class citizens as a matter of fact. They have a constitutional right and they were told on the way to the police station that they didn't have any constitutional rights. These things are occurring, and I think your investigation should direct itself to this, Mr. Henckel. Things are occurring on the Eastside and let's get to the bottom of it. I don't feel I want to sit and receive these complaints continuously from many, many of my good friends on the Eastside.

I agree, Mr. Mayor, that lawlessness has to be quelled. But, sometimes when people are pushed around, and when it is not justified, I think we ought to take measures to avoid this type of situation because it can become an explosive situation. We have a peaceful community and I would want to see it remain a peaceful community. This is the reason for my concern. I think, and I would like to ask the Council about the possibilities of increasing the number of people on our Community Relations Bureau. I would concur with Cedric McCreary's statement of yesterday that the Bureau has done an outstanding job and that perhaps membership on the Bureau should be increased from its present three to twenty people. What is the possibility of this?

City Manager Henckel: I have discussed it with the Chief and I instructed him as to my desires in the new budget. The difficulty of course, is when you reassign men from one department to another, you are shorting the particular division that you're taking the man away from and as you know we could use more men in every division of the department. We have to make a determination where they are needed the most. With the Bureau being new, we felt that we needed a little bit of experience so that we can determine how many men we could justify putting in that particular division. Of course as far as the Staff is concerned, it is certainly my desire to see that every segment of the community receives the same type of service. We certainly wouldn't condone any double set of standards. It is difficult when you have complaints involving double standards or brutality or whatever it may be to get at the actual facts because you have two contrary opinions that are being voiced, by the complainant and by the reports we receive from the department. It is difficult to get some bystander who is not prone to lean one way or the other to give you the facts as they saw it and this is what makes investigations difficult. However, we do everything within our power to see that we can get at the true facts of any particular case that is complained about.

Councilman James: Mr. Mayor, I was out of town when all this happened. I just got back in town last night. I talked with Mr. Whittier this morning about one o'clock. I talked with his mother at 12:30 last night and I would suggest, Mr. Henckel, that you contact Mrs. Whittier, Joanne Whittier and then perhaps talk, because I think that she has an objective, a fair statement to make in this whole thing and can put a whole lot of light on it.

Mr. Henckel: I would of course be happy to talk with anyone at any time who can add any light to the matter as I stated to the group yesterday.

Councilman Jones: What group? I'm a little in the dark, I guess. I'm a member of this Council, but I wasn't informed of any meeting yesterday. The newspapers said something about the City fathers taking action or something.

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Mr. Torres: Of course Mr. Henckel is a City father, as I am, I hope. I took the liberty, Mr. Jones, of asking Mr. Henckel to meet with a number of people who had contacted me. This is why this morning I prefaced my remarks that I had been contacted by a number of eastside residents, and that after I received a number of telephone calls yesterday morning.

Mr. Jones: This was an ad hoc meeting then, yesterday?

Mr. Torres: I suppose you could say that, yes. It was an information and grievance session yesterday with Mr. Henckel, as the City Manager, which I requested.

Dr. Calderon: Let me say this. I think it is most unfortunate and unfair that every time a police officer tries to enforce the law he is accused of police brutality. He is assumed to be guilty from the very beginning unless proved innocent. I would like, I think we should get away from this matter of trying to enforce the law as far as I'm concerned to this extent they have to be proven guilty. As it is, they seem to be wrong. They have to prove that they were not wrong. I think we are going about it in the wrong way. I think we need to support our police department all the way and always be willing to get testimony from people who think otherwise. But to automatically condemn an action, I just don't think its right or proper.

Mr. Torres: I don't think there has been any condemnation this morning.

Dr. Calderon: The whole tone is implying, perhaps inadvertently, but insinuating that the officers were, or conceivably went beyond their authority. I am certainly not in favor of any kind of approach that in any way gives the impression that the police officer is wrong every time he seeks to enforce the law.

Mr. Henckel: I'd like to make it clear that the Manager and the Chief of Police have never condemned the Police Department for any action that in our opinions were justified. If there is some evidence and proof that a police officer was wrong then he is punished. But we must have evidence and we must have proof. We spend considerable time on these complaints to find the evidence according to the allegations. I'd also like to commend the Police Department. It's very difficult for an officer to show the restraint that they showed on Monday night and we did this for a specific reason. As a result of the disturbance last year, the complaints that we received. We have done many things. We have issued orders to the Police Department in regard to the type of wording that they can use in addressing these people on direct complaint and the people in the area. We have started the Community Relations Bureau. We have been meeting with the various groups to give those groups an opportunity to help handle their problems. This is why the restraint order was issued Monday evening. Unfortunately, the groups either failed to or didn't want to respond. This is why, in our opinion, the trouble occurred. Perhaps when we make a decision of this kind we are not always correct.

We felt that we wanted to give the opportunity to the people whom we had been working with for the past year the opportunity to help the community. We are still asking their help. This is not a one-way street. We really need to have communication from both sides and at the meeting yesterday, I asked all of them involved to please refrain from addressing the police in the manner in which they are addressing them now and the names they are calling them. Because this is aggravating whether you are a policeman or whether you are a member of the eastside community or whatever you are. It is unfortunate and it is the same in every community in the country that police action in certain areas of town is required more than it is in other areas. This is something over which we have no control. We have to respond to calls and we have to respond to violations of the law. As long as we have a police department under our jurisdiction, we are going to respond to all calls and have all laws obeyed. We want to do everything we can to work with all groups in the community to help solve the problems. We are asking these groups to work with us. We think we have shown good faith and we are asking the same of them.

Mr. Torres: Of course I brought these matters to the attention of the Council because of the complaints, because the complaints were brought to my attention. Because of the request I made of Mr. Henckel to meet with the complainants, I think it is incumbent upon me to bring it to the attention of the Council. I have, with all due respect, Dr. Calderon, to your impression of what I have said this morning, know that I have referred to the fact that the allegations have been made in the past. I may conclude that when a group of people consistently complain, I feel there must be something to the complaints when they have come up and supported it with documentation and this is why I have asked Mr. Henckel to thoroughly study the situation. I feel that there is some policy determination on the part of the Council so far as the future relations is concerned, so far as the statement, perhaps, on the fact that all people in this community are going to have to be treated with dignity and respect and this includes the police officers. I will agree with Mr. Henckel that this is a two-way street, but I think we had concurrence at yesterday's meeting from most of the staff on the one hand and the complainants on the other hand that reason would predominate in the community and this is what we are looking for.

Mr. James: I think if you would talk to Mrs. Whittier you might be interested, Mr. Henckel.

69-20

STATEMENT OF NORMAN GUERRERO, 133 Rounds, City.

"Last Monday, April 21st, a disturbance occurred in downtown San Antonio. The Police Department, Chief Bichsel, and Capt. Joe Neaves are to be commended for their actions on that night.

It is well known that the westside barrio residents are highly critical of the police whenever the police are thought to have done wrong. The barrios remember Bobby Joe Philips and Eloy Vidal and highly condemn the police for their irritational and criminal actions. The barrios generally castigate Chief Bichsel because every time an incident occurs in the barrios the Chief justifies the act merely on the basis of the police report and without conferring with barrio residents.

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Monday night the police illustrated great restraint and great insight in their handling of the situation. The administration is to be praised that they understand the nature of frustration and years of poverty that evolved into the actions of last Monday night. The Chief is to be praised in his wisdom by showing restraint over the police officers association who show their immature and irrational nature by their response to the situation by saying the best way to handle the situation was to use force. By using restraint and understanding the Chief and Community Relations Bureau of the police department kept damage and personal injuries to police and barrio youth to a minimum.

There is no love lost between myself and the barrios and the police and the Chief. Most policemen are human but that small percentage who are 'perros' are a disgrace to the department. The Chief is to be condemned for justifying the acts of the perros, an action which constantly causes friction between the police and the barrio residents. It is a shame that that small percentage of perros causes the whole department to be criticized.

But credit must be given where credit is due and because of the action of the police last Monday the city, the police and the Community Relations service must be praised and commended for their restraint which caused damage to be at a minimum."

— — —
 69-20 Mr. Joe Lopez read a resolution adopted by the SANYO Board of Directors concerning the Food Stamp Program as follows:

WHEREAS, It is well recognized in the City of San Antonio and the County of Bexar there exists a great need for the expansion of its Food Stamp Program by adding stamp distribution centers, and

WHEREAS, The Food Stamp Program has proven as a great benefit to the needy of this community by providing a more nourishing and balanced diet, and

WHEREAS, The SANYO Board of Directors has learned the City of San Antonio has recognized this great need and plans to expand the present operation of the Food Stamp Program,

THEN LET IT BE RESOLVED:

That SANYO, a Community Improvement Organization, go on record in support of the City of San Antonio and its distinguished City Council and its expansion of the Food Stamp Program.

Passed and adopted at its meeting of SANYO this 23rd day of April, 1969.

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Miss Nancy Phillips, Chairman of the San Antonio Civil Liberties Union, made the following statement to the Council:

"The San Antonio Civil Liberties Union wishes to commend Police Chief Bischel and the San Antonio Police for its restrained handling of a potentially explosive situation in San Antonio last Monday evening after the King's River Parade when a crowd of young men moved through the downtown area.

Although there was minor property damage, there apparently was no personal injury to a police officer, demonstrator, or passer-by. This is the most important fact to come from the whole incident and it is largely due to the effectiveness of the Community Relations Bureau and the San Antonio Police Department, Chief Bichsel, Capt. Joe Neaves, Bill Lewis and City Manager Jerry Henckel deserve special credit for the efforts to control the situation in a peaceful and orderly manner. As a result of this incident we urge that the Community Relations Bureau and Capt. Joe Neaves be strengthened within the San Antonio Police Department.

The Community Relations Bureau proved it could communicate with demonstrators, keep the peace and provide safety for citizens in the area without resorting to billy clubs, mace beatings or other violence.

There seems to be some grumbling among some officers because they were not permitted to deal more forcefully with the demonstrators. We would remind these officers that they are the guardians of the law and not the punishing agents against segments of society that are personally offensive to them.

We cannot condone the use of abusive language aimed at a police officer, but offensive words cannot be equated with acts of violence. In such a situation violence on the part of police would bring counter violence from demonstrators and set off a cycle of violence in San Antonio that would be disastrous for our community.

The San Antonio CLU urges that the Community Relations Bureau, which is respected in the barrios and among minority groups, be given broader jurisdiction where disturbances may arise.

We urge that more men be added to the Community Relations Bureau's staff and that their training and experience be used to full advantage in the future.

It would be a shame for our city if the valuable work of the Community Relations Bureau to reduce social and ethnic tensions during the past year were wiped out in one night because some police officers demand physical vengeance for verbal abuse.

The ACLU urges the City Council to extend the work of the Community Relations Bureau because we see it as a positive agent of just law-enforcement in our community."

She then presented copies of pamphlets which advise a person of his rights in the event of arrest.

Dr. Calderon stated that Mr. James Westbrook, Director of the Community Relations Commission, has done fine work in connection with Monday's disturbance and should also be commended as well as the Community Relations Bureau of the Police Department.

69-20 City Manager Henckel asked the Council to pass a resolution declaring the name plates of Councilman Bob Jones, and Mayor Pro-Tem Gatti as surplus so that they may be given to them as a momento of their service to the City.

On motion of Dr. Calderon, seconded by Mr. Hill, the name plates were declared surplus by acclamation.

Mr. Gatti stated that he has enjoyed the eight years he served on this Council and hoped the City is a better place from his having been here. He felt long strides have been made but there is still much to be done and if everyone works together the job will get done.

Mr. Jones reiterated the same sentiments that it has been a pleasure to serve on the Council and felt he was a better citizen for having served.

69-20 The Clerk read the following letter.

April 22, 1969

Honorable Mayor and Members of the City Council
City of San Antonio, Texas

Gentlemen and Madam:

The following petitions were received in my office and forwarded to the City Manager for investigation and report to the City Council.

4-15-69 Petition of Mrs. F. L. Morris, 406 Trudell Drive, requesting permission to erect barbed wire around the top of a six foot cedar wood fence.

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4-22-69

Petition of Allright Parking, Inc. requesting permission to allow a curb cut on the south side of West Houston Street between Main and Flores Streets.

/s/ J. H. INSELMANN
City Clerk

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There being no further business to come before the Council, the meeting adjourned.

A P P R O V E D:


M A Y O R

ATTEST


C i t y C l e r k

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